



IPW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hiromi SAITOH et al.

Group Art Unit: 2871

Application No.: 10/799,619

Examiner: T. CHOWDHURY

Filed: March 15, 2004

Docket No.: 118771

For: ELECTRO-OPTICAL DEVICE ENCASED IN MOUNTING CASE, PROJECTION
DISPLAY APPARATUS, AND MOUNTING CASE

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

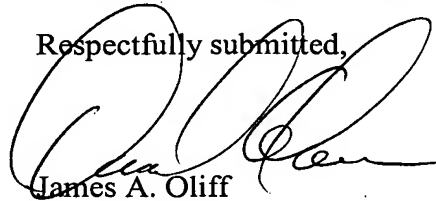
In reply to the July 12, 2005 Election of Species Requirement, Applicants provisionally elect Species I, Figures 4-8, with traverse. Claims 1-9 are readable on the elected species. Claims 1, 4, 5, 7 and 9 are generic to both species, despite the Office Action's assertion to the contrary. Therefore, when any of these claims are allowed, all of the claims directed to the non-elected species must be rejoined and examined.

It is also respectfully submitted that the subject matter of all species is sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is

respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



James A. Oliff

Registration No. 27,075

Daniel A. Tanner, III

Registration No. 54,734

JAO:DATfpw

Date: August 5, 2005

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

**DEPOSIT ACCOUNT USE
AUTHORIZATION**

Please grant any extension
necessary for entry;
Charge any fee due to our
Deposit Account No. 15-0461